UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OMNI INNOVATIONS, LLC, a Washington limited liability company; JAMES S. GORDON, JR., Plaintiffs, v. SMARTBARGAINS.COM, LP, a Delaware limited partnership, Defendant.	CASE NO. C06-1129-JCC ORDER

Having considered Defendant's Motion to Dismiss (Dkt. No. 21), Plaintiffs' Response (Dkt. No. 23), and Defendant's Reply (Dkt. No. 25), and finding oral argument unnecessary, the Court hereby rules as follows.

This case shall be stayed pending Plaintiffs' appeal to the Ninth Circuit Court of Appeals in *Gordon v. Virtumundo*, No. 06–0204, 2007 U.S. Dist. LEXIS 35544 (W.D. Wash. May 15, 2007). This Order is made at the Court's discretion to manage its docket, and shall in no way prejudice Defendant's position on the merits.

Accordingly, this case is hereby STAYED and REMOVED from the Court's active caseload, and

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the parties are directed to notify the Court in the event they wish the matter to be reopened.

DATED this 30th day of October, 2007.

John C. Coughenour
United States District Judge